IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
APPELLATE SIDE
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 3795 OF 2004

Diwakar Vithobaji Vaidya
Vs.
Babarao Gomaji Chaudhari

Office Notes, Office Memoranda of Coram, appearances, Court orders or directions and Registrar's orders	Court's or Judge's orders

CORAM: C. L. PANGARKAR J.
Dated: 29th JULY, 2009.

Read the letter of the Civil Judge Junior Division Pulgaon whereby he has made a request for extension of time to decide the Civil Suit No. 57 of 2001.

It appears from the order passed by this Court in Writ Petition No. 3795 of 2004 decided on 14.02.2006 that this Court had directed the learned Civil Judge to dispose of the said suit No. 57 of 2001 within 9 months from the date of communication of the order.

Said direction as stated earlier was issued on 14.02.2006. It is clear from the letter of the learned Civil Judge that the order was communicated to the Civil Judge on 13.03.2006. It is apparent that since that date no prayer for extension of time has been made by the Civil Judge nor the suit has been decided within the time stipulated. It appears that the direction given by this Court has simply been ignored by the Civil Judges who were working in that Court. Time is extended to dispose of the suit till 30.09.2009.

However, the learned District Judge is directed to obtain an explanation from the Judge who was working in the Court of Civil Judge Junior Division Pulgaon on 13.03.2006 and subsequent thereto as to why the order passed by this Court was not obeyed and the suit was not decided within the stipulated time. The said explanation should be submitted by the learned District Judge along with his remarks to this Court within a period of one month.

JUDGE

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